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SUBJECT: AZERBAIJAN FALL LEGISLATURE PREVIEW: POTENTIAL
DRAFT LEGISLATION

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11. (C) SUMMARY: Although several weeks remain until the October 1 start of the fall session of Parliament, Members of Parliament (MPs) are already full of speculation about potential upcoming draft legislation. Two new draft laws, on education and on political parties, are expected to be on the agenda and already are generating debate. Education reform is a long-standing need in Azerbaijan, while opposition parties fear that a new law on political parties - particularly if it calls for state funding of parties - could strengthen GOAJ control over the opposition. Other drafts that may come up include mass media, NGO registration, and Azerbaijan's long-awaited National Security Strategy. However, due to Azerbaijan's system of adopting draft laws, it is difficult to discern if a particular draft has actually been written. In addition to the substantive legislation, most MPs agree that a large amount of time will be spent discussing the GOAJ's budget. The fact that MPs - including committee leaders from the ruling party - still do not know what will be covered in the fall session speaks volumes about the role played by Parliament in Azerbaijan's political life. END SUMMARY

LAW ON EDUCATION

12. (C) The potential draft Law on Education is by far the piece of legislation getting the most buzz in anticipation of the fall legislative session. In accordance with the Council of Europe Bologna process, this draft would establish an accreditation body independent from both the Ministry of Education and from the universities. It would also change Azerbaijan's system of graduate work to conform to international standards - eliminating the extra step of "aspirantura" that currently exists between Master's and Doctorate degrees. Ruling party MP - and Rector of the University of Languages - Samad Seyidov told Poloff that this draft pushes much-needed educational reform and does not "play games." Seyidov told PAO that the GOAJ is already planning steps towards reform, such as the implementation of a first time western-style system of course credits for the entire University of Languages and for part of the State Economic University.

13. (C) Although this draft has a new spin - the Council of Europe component - educational reform is an issue that Parliament has been discussing for years. Independent MP Gultakin Hajiyeva told Poloff that this issue causes the Azerbaijani public to view Parliament negatively, because MPs "keep discussing it but cannot come to a decision." She said that this is a very straightforward issue - that the GOAJ has committed to the Bologna Process, and must follow through with its commitment. Azerbaijan's education system is rife with corruption, which remains the main impediment to

educational reform and, consequentially, to the draft Law on Education. Over the past few months, the GOAJ has taken steps in the name of educational reform, such as closing law and medical faculties in private universities, but critics see this as another opportunity for the Ministry of Education to make a profit. Political analyst Rasim Musabeyov told Poloff that the main voice of opposition to this draft within the Parliament is that of the President's uncle, MP Jalal Aliyev. Opposition MP Panah Huseyn confirmed that Aliyev is opposed to this draft, but said that due to his reportedly ailing health, Aliyev "might not be around much longer," which would make the issue "less complicated."

LAW ON POLITICAL PARTIES

¶4. (C) The second most talked-about potential draft, the Law on Political Parties, proposes government funding for political parties. Under the current system, political parties do not receive funding from the GOAJ. The draft would also change the current process of registration for political parties. Independent MP Asim Mollazade told Poloff that the GOAJ must financially support political parties to keep them from falling prey to influence from Russia and Iran. In a meeting with Poloff, "pocket opposition" MP Iqbal Agazade (thought to be closely aligned with the GOAJ - see ref a) agreed that GOAJ financing would help stabilize political parties, but that the money would create dependency on the GOAJ, and that new law would unnecessarily complicate the registration process for political parties. He further stated that the new law would give the GOAJ greater control over political parties, and in doing so, would violate the principles of freedom of assembly. In a separate meeting with Poloff, "pocket opposition" MP Sabir Rustamkhanli pointed out

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that in most countries, it is normal practice for the government to fund political parties. He shared his concern, however, that the new law would give more control to the GOAJ, which might not follow through with the promise of funding.

OTHER POTENTIAL LEGISLATION

¶5. (C) In conversations with Poloff, several MPs mentioned the possibility of draft legislation on other topics. Ruling party MP Malahat Hasanova said that there are gaps in the current Law on NGO Registration, which Parliament may amend during the fall session. Hasanova also mentioned that Parliament may examine the National Security Strategy (still to be completed by the GOAJ) and the National Military Doctrine (also pending completion), both key NATO IPAP requirements. Independent MP Gultakin Hajiyeva agreed, and told Poloff that there is a "real opportunity" to discuss this during the fall session because the Speaker of Parliament, Ogtay Asadov, had indicated to her that he was interested in doing so. Hajiyeva also said that changes to the Law on Mass Media may be proposed, an idea independent MP Asim Mollazade echoed. MP Iqbal Agazade told Poloff that Parliament may consider changes to Azerbaijan's Election Code to better conform to international standards, particularly that of the Council of Europe. Agazade also mentioned the possibility of a law that would reimburse savings that Azerbaijanis lost during the Soviet era, a possibility mentioned by several other MPs. Many MPs also indicated to Poloff that much time - perhaps up to a month - would be spent discussing the GOAJ's budget.

AZERBAIJAN'S DRAFT LAW PROCESS

¶6. (C) Azerbaijan's system of adopting draft legislation makes it difficult to discern whether a draft actually exists or is merely a rumor. Although Parliament has the power to initiate legislation, most drafts originate in the

President's office. The public is not included in the draft process; in fact, many of the MPs do not have access to drafts. A draft is read aloud three times on the floor of Parliament, and is automatically adopted after the third reading. Opposition MP Jamil Hasanli told Poloff that MPs will be given the agenda for the fall session approximately one week before the session begins. Until that time, no one is certain what issues will be discussed. It is also common practice for the agenda to be modified once Parliament is in session, so it is difficult to predict what will happen.

COMMENT

17. (C) The fact that MPs - including ruling party leaders who serve as commission leaders - are still in the dark about the fall legislative agenda speaks volumes about the role played by Parliament in Azerbaijan. Little to no legislation originates within the Parliament, and the body is generally viewed as being a weak and ineffective "rubber stamp" institution - a sentiment echoed by many MPs themselves. Newly elected Speaker of Parliament Ogtay Asadov says that he would like to change Parliament's role and sees the new USAID Parliamentary Assistance Program as a key part of the reform process.
HYLAND